

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Application of: Shigeru KAWANO, <i>et al.</i><br><br>International Serial No.: PCT/JP2004/016666<br><br>U.S. Serial No.: Applied For<br><br>International Filing Date: November 10, 2004<br><br>U.S. Filing Date: Herewith<br><br>For: NOVEL ACETOACETYL-CoA REDUCTASE AND<br>PROCESS FOR PRODUCING OPTICALLY<br>ACTIVE ALCOHOL | Attention: Manager,<br>Application Branch |
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**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

| <b>U.S. Patent Documents:</b>    |                     |                             |
|----------------------------------|---------------------|-----------------------------|
| No.                              | Date of Publication | Patentee/Applicant/Assignee |
| 6,649,382                        | November 18, 2003   | Choi et al.                 |
| <b>Foreign Patent Documents:</b> |                     |                             |
| No.                              | Date of Publication | Country                     |
| EP 1452603 A1                    | September 1, 2004   | Kawano et al.               |

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other

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information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

April 27, 2006  
Date

Magdalena O. Cilella  
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| FORM PTO-1449   | SERIAL NO.<br>Applied For            | CASE NO.<br>5404/147  |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT | FILING DATE<br>Herewith              | GROUP ART UNIT<br>N/A |
| (use several sheets if necessary)   | APPLICANT(S): Shigeru KAWANO, et al. |                       |

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE       | NAME        | CLASS/<br>SUBCLASS | FILING<br>DATE |
|---------------------|----|--|------------|-------------|--------------------|----------------|
|                     | A1 | 6,649,382  | 11/18/2003 | Choi et al. |                    |                |
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## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE      | COUNTRY | CLASS/<br>SUBCLASS | TRANSLATION<br>YES OR NO |
|---------------------|----|--|-----------|---------|--------------------|--------------------------|
|                     | A2 | EP 1452603 A1  | 11/1/2005 | EPO     |                    |                          |
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| EXAMINER<br>INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS<br>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published. |  |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.